

## WALPOLE PLANNING BOARD MINUTES OF FEBRUARY 4, 2021

The Walpole Planning Board met on Thursday, February 4, 2021 via Zoom. The following members were present: John Conroy, Chairman; Sarah Khatib, Vice Chair; Philip Czachorowski, Clerk; Catherine Turco-Abate, John O'Leary, and Carl Balduf, Town Engineer.

Mr. Conroy opened the meeting at 7:02 p.m.

**Minutes:** Mr. Conroy moved to accept the minutes of October 14, 2020. Motion seconded by Ms. Abate and voted 5-0-0. Mr. Conroy moved to accept the minutes of January 7, 2021. Motion seconded by Ms. Abate and voted 5-0-0. Mr. Conroy moved to accept the minutes of January 21, 2021. Motion seconded by Ms. Abate and voted 5-0-0

**7:05 p.m. ANR – Bartley Foley, 130 Summer Street:** The applicant was represented by John Glossa, Glossa Engineering. Mr. Balduf stated all appears to be in order and he is all set with this. He also ran this by the Building Commissioner. It was noted that in September, 2020, ANR #1 was endorsed. The reason for ANR #2 is to extend the new lot behind the existing house at 130 Summer Street. Mr. Conroy moved to endorse an ANR plan entitled “#130 Summer Street Plan of Land in Walpole, MA” dated January 13, 2021 and prepared by Glossa Engineering, 46 East Street, East Walpole, MA 02032 finding Form A in order and subdivision control not required. Motion seconded by Ms. Khatib and voted 5-0-0.

The owner/applicant is Bartley J. Foley, Jr. and Laura Jefferies as Trustees of the Doris M. Foley Trust, 130 Summer Street, Walpole, MA 02071. Said property is shown as Assessors' Map 56, Lots 48 and 49, Zoning District RB, WRPOD Area 3

The owners' title to the land is derived under deed from Bartley J. Foley and Laura M. Jeffries, dated January 25, 2002 and recorded in Norfolk Registry of Deeds, Book 16298, Page 170 and deed from Gregory J. Klotz and Kathryn B. Klotz dated January 8, 2021 and recorded in Norfolk Registry of Deeds, Book 38858, Page 227.

It was agreed that the board's administrative assistant would sign and initial the mylar on behalf of the board.

**Walpole Housing Partnership discussion:** Mr. Czachorowski asked that the Planning Board discuss the invitation from the WHP to work jointly with them and the ZBA. Mr. Czachorowski stated that the Planning Board is in a unique position to bring back the Inclusionary Zoning article in under two years as so not to be concerned with not making substantial changes in order to have the Attorney General not rule against it. After a brief discussion, Mr. Czachorowski made a motion to accept the WHP invitation to work with them on a joint committee on the Inclusionary Zoning Bylaw. Motion seconded by Ms. Khatib.

Ms. Khatib stated she commends Mr. Czachorowski for bringing this forward and agrees with what he said. Previously, she and the Planning Board had concerns with what was presented at town meeting. Ms. Abate asked if the WHP has acted on any suggestions that were given and

have they met with the ZBA. She asked if they received a letter and also if any other groups have been asked to join. She agrees that we should all work together. Mr. Czachorowski stated the whole purpose of this is to form a joint committee with the WHP, Planning Board and ZBA. It is their intention to invite these boards and to bring them all together so they can move forward with the Inclusionary Zoning Bylaw. Ms. Abate stated she is uneasy with the way things are run. There is no structure. She feels the letters should have been sent at the same time to both the ZBA and Planning Board, otherwise it feels unofficial.

Mr. Czachorowski stated the Planning Board has to be the one to vote to move this forward. Ms. Abate stated there should be official reporting back to the Selectmen also. Mr. Czachorowski feels that is not important right now. He just wants to move forward. Ms. Abate feels we are depicted as the hindrance. Mr. O'Leary stated this began as a WHP project and should remain as such. He agrees that input from the ZBA and Planning Board is a good idea. Ms. Khatib stated the idea is to be more collaborative, not to have the Planning Board take over. She urges the board to support the motion.

Mr. Conroy stated he had to ask for a letter so right off the bat he is carrying the water. There should be an outline of who will do what. They are an appointed committee by the Selectmen and Selectmen have not said anything. His personal view is that he is here to do Planning Board business. We are not being asked because we are so wonderful, but we are being asked because we are the only ones who can bring this back. We are only invited to the party because we are bringing the beer. Mr. Czachorowski stated he takes offense to what Mr. Conroy is saying. Mr. Conroy stated this article will not stop the 40B's from coming. Mr. Czachorowski agreed and said it would help a little. Ms. Abate stated she is willing to work with anyone, but she wants to hear from the ZBA. She doesn't want to continue the past mistakes. Mr. Conroy asked for an outline from the WHP so we will know what you are looking for. He feels there is nothing concrete right now.

Mr. Czachorowski withdrew his motion. Ms. Khatib withdrew her second.

Mr. Czachorowski moved that the Planning Board accept the invitation from the Housing Partnership to work as a joint committee on the Inclusionary Zoning Bylaw and also that the Zoning Board of Appeals be invited to join. Motion seconded by Ms. Khatib.

After further discussion, Mr. Czachorowski withdrew his motion. Ms. Khatib withdrew her second.

Mr. Czachorowski moved that the Planning Board accept the invitation from the Housing Partnership to send or appoint one or two members to join a joint committee and invite the Zoning Board to send one or two members to join that joint committee and the number of members to be determined at the first meeting of the joint committee. Motion seconded by Ms. Khatib and voted 3-1-1 (Mr. Conroy voted against the motion; Ms. Abate voted to abstain pending hearing from the Zoning Board of Appeals).

Ms. Khatib suggested there be a future meeting where the public can speak. Mr. Conroy stated someone from the WHP should submit an outline and do a presentation at a posted meeting on what they want to do.

**8:02 p.m. Alsarabi Estates Continued Hearing:** Mr. Conroy moved to accept an extension of time up to and including March 31, 2021 as requested by Dan Merrikin, Legacy Engineering, Millis, MA. Motion seconded by Ms. Abate and voted 5-0-0. Mr. Conroy continued this hearing to March 4, 2021 at 7:20 p.m. as requested by Mr. Merrikin.

**8:04 p.m. Lincoln Estates:** Mr. Conroy stated there is an ownership issue as the DIS lists a different address on the Form C application. He suggests they may way to fix that and then readvertise. Mr. Truax asked him to repeat that. Mr. Conroy stated that Mr. LaCivita signed one of the forms using a Polley Lane address and another form was signed with a Lincoln Road address. Mr. Hasenjaeger signed one form with a Walpole post office box and the other form with a Norwood post office box. Mr. Conroy will not encourage the applicant to go forward as it very clear there are two owners with two different addresses listed for each of them.

Mr. Truax stated the procedure to go forward would be at their risk. Mr. Conroy stated we can't allow you to go forward. Mr. Truax asked if he needs to file a new application, readvertise and renotice the abutters and Mr. Conroy stated yes. Mr. Truax asked when the new hearing will be and Mr. Conroy stated it depends on when this is refiled.

Mr. Truax asked to withdraw without prejudice. Mr. Conroy moved to allow the applicants to withdraw their application without prejudice. Motion seconded by Mr. O'Leary and voted 5-0-0.

Mr. Truax asked the filing fees be waived. Mr. Conroy stated we will discuss that when this is refiled.

**TMC, 100 Elm Street Plan Endorsement:** Mr. Conroy moved to endorse the TMC site plans as reviewed by Mr. Balduf. Motion seconded by Mr. O'Leary and voted 5-0-0.

Mr. Conroy reminded the board the plans will need to be endorsed in the office by a minimum of three board members as previously agreed.

Mr. Conroy moved to adjourn. Motion seconded by Mr. Czachorowski and voted 5-0-0. The meeting adjourned at 8:35 p.m.

Respectfully submitted,

Philip Czachorowski, Clerk

Accepted 3/18/21